

# COMMITTEE REPORT

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## MR. PRESIDENT:

The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill No. 349, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

- Delete everything after the enacting clause and insert the following:
  - SECTION 1. IC 13-11-2-148 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 148. (a) "Operator", for purposes of IC 13-18-10, means the person in direct or responsible charge or control of one (1) or more confined feeding operations.
  - (b) "Operator", for purposes of IC 13-18-11 and environmental management laws, means the person in direct or responsible charge and supervising the operation of:
    - (1) a water treatment plant;
    - (2) a wastewater treatment plant; or
    - (3) a water distribution system.
  - (c) "Operator", for purposes of IC 13-20-6, means a corporation, a limited liability company, a partnership, a business association, a unit, or an individual who is a sole proprietor that is one (1) of the following:
    - (1) A broker.
    - (2) A person who manages the activities of a transfer station that receives municipal waste.
    - (3) A transporter.
  - (d) "Operator", for purposes of IC 13-23, except as provided in subsection (e), means a person:
    - (1) in control of; or
    - (2) having responsibility for;the daily operation of an underground storage tank.
  - (e) "Operator", for purposes of IC 13-23-13, does not include **the following**:
    - (1) A person who:
      - ~~(1)~~ **(A)** does not participate in the management of an underground storage tank;
      - ~~(2)~~ **(B)** is otherwise not engaged in the:
        - ~~(A)~~ **(i)** production;

III                    ~~(B)~~ (ii) refining; and  
 III                    ~~(C)~~ (iii) marketing;  
 III                    of regulated substances; and  
 III                    ~~(D)~~ (C) holds evidence of ownership, primarily to protect  
 III                    the owner's security interest in the tank.  
 III                    (2) A person who:  
 III                    (A) fills;  
 III                    (B) gauges; or  
 III                    (C) fills and gauges;  
 III                    the product level of an underground storage tank, if the  
 III                    person is not engaged in dispensing a regulated substance  
 III                    from the underground storage tank.  
 III                    SECTION 2. An emergency is declared for this act.

(Reference is to SB 349 as introduced.)

and when so amended that said bill be reassigned to the Senate Committee on Environmental Affairs.

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GARTON                    Chairperson